

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/26/08

STEPHEN M. WILSON, *et al.*

Plaintiffs,

-against-

IMAGESAT INTERNATIONAL N.V., *et al.*

Defendants.

07 Civ. 6176 (DLC)

STIPULATION AND
~~PROPOSED~~ ORDER
REGARDING
SUPPLEMENTATION OF
THE RECORD

IT IS HEREBY STIPULATED AND AGREED by and between counsel for all parties that, pursuant to Federal Rule of Appellate Procedure 10(e)(2)(B), the record in the above-captioned matter be supplemented to include: (1) the letter from Eric Goldstein, Esq. to the Honorable Laura Taylor Swain, dated May 19, 2008, with exhibits (a copy of which is attached hereto as Exhibit A); (2) the letter from Ira Brad Matetsky, Esq. to the Honorable Laura Taylor. Swain, dated May 20, 2008 (a copy of which is attached hereto as Exhibit B); and (3) this Stipulation and Order.

The parties further agree that a certified supplemental record for the above-captioned matter including this Stipulation and Order and its exhibits shall be forwarded to the United States Court of Appeals for the Second Circuit.

Defendants believe that it is appropriate to include the attached letters as part of the record because the Court referred to, and relied upon, facts contained in these letters in its July 30, 2008 Amended Opinion and Order. Plaintiffs have no objection thereto.

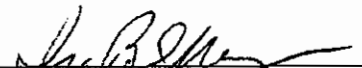
This Stipulation does not constitute an acknowledgement by Plaintiffs (including Intervenor-Plaintiff) of the relevance or materiality of the supplemental materials.

NY2:#4801271

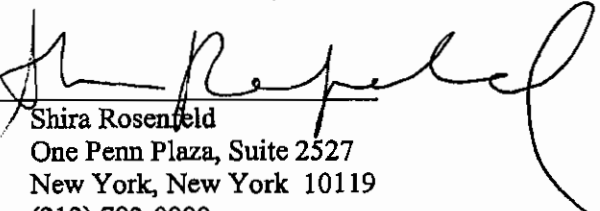
So ordered.
James C. He
August 26, 2008

Dated: New York, N.Y.
August 20, 2008

GANFER & SHORE, LLP

By: 
Ira Brad Matetsky (MM1881)
360 Lexington Avenue
New York, New York 10017
(212) 922-9250
(212) 922-9335 (facsimile)
imatetsky@ganshore.com
Attorneys for Plaintiffs

MANUEL & ROSENFELD, LLP

By: 
Shira Rosenfeld
One Penn Plaza, Suite 2527
New York, New York 10119
(212) 792-0999
syr@mr-law.net
*Attorneys for Intervenor Plaintiff
Harbinger International Holdings S.A.*

MILBANK, TWEED, HADLEY & MCCLOY
LLP

By: _____
Sander Bak (SB-2263)
Atara Miller (AM 1798)
1 Chase Manhattan Plaza
New York, New York 10005
(212) 530-5000
Sbak@milbank.com
*Attorneys for Defendants ImageSat
International, N.V., Keret, Nissan, Weiss,
Eckhaus, Piperno-Beer, Arzi, and
Chelouche*

COHEN TAUBER SPIEVACK & WAGNER,
P.C.

By: _____
Stephen Wagner (SW 2500)
Sari E. Kolatch (SK 3026)
420 Lexington Avenue, Suite 2400
New York, New York 10170
(212) 586-5800
swagner@ctswlaw.com
*Attorneys for Defendants Israel
Aerospace International, Ltd. & Eldar*

GREENBERG TRAURIG, LLP

By: _____
Simon Miller (SM 6278)
200 Park Avenue
New York, New York 10166
(212) 801-9200
millersj@gtlaw.com
*Attorneys for Defendants Elbit
Systems, Ltd., Ackerman, Federman,
Gaspar, and Estate of Toren*

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

By: _____
Eric S. Goldstein (ESG 1034)
Jonathan Hurwitz (JHH 8037)
1285 Avenue of the Americas
New York, New York 10019
(212) 373-3000
egoldstein@paulweiss.com
*Attorneys for Defendants Israel
Aerospace International, Ltd. & Eldar*

Dated: New York, N.Y.
August 20, 2008

GANFER & SHORE, LLP


MANUEL & ROSENFELD, LLP

By: _____
Ira Brad Matetsky (IM1881)
360 Lexington Avenue
New York, New York 10017
(212) 922-9250
(212) 922-9335 (facsimile)
imatetsky@ganshore.com
Attorneys for Plaintiffs

By: _____
Shira Rosenfeld
One Penn Plaza, Suite 2527
New York, New York 10119
(212) 792-0999
syr@mr-law.net
*Attorneys for Intervenor Plaintiff
Harbinger International Holdings S.A.*

MILBANK, TWEED, HADLEY & MCCLOY
LLP

COHEN TAUBER SPIEVACK & WAGNER,
P.C.

By:  _____
Sander Bak (SB-2263)
Atara Miller (AM 1798)
1 Chase Manhattan Plaza
New York, New York 10005
(212) 530-5000
Sbak@milbank.com
*Attorneys for Defendants ImageSat
International, N.V., Keret, Nissan, Weiss,
Eckhaus, Piperno-Beer, Arzi, and
Chelouche*

By: _____
Stephen Wagner (SW 2500)
Sari E. Kolatch (SK 3026)
420 Lexington Avenue, Suite 2400
New York, New York 10170
(212) 586-5800
swagner@ctswlaw.com
*Attorneys for Defendants Israel
Aerospace International, Ltd. & Eldar*

GREENBERG TRAURIG, LLP

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

By: _____
Simon Miller (SM 6278)
200 Park Avenue
New York, New York 10166
(212) 801-9200
millersj@gtlaw.com
*Attorneys for Defendants Elbit
Systems, Ltd., Ackerman, Federman,
Gaspar, and Estate of Toren*

By: _____
Eric S. Goldstein (ESG 1034)
Jonathan Hurwitz (JHH 8037)
1285 Avenue of the Americas
New York, New York 10019
(212) 373-3000
egoldstein@paulweiss.com
*Attorneys for Defendants Israel
Aerospace International, Ltd. & Eldar*

Dated: New York, N.Y.
August 20, 2008

GANFER & SHORE, LLP

MANUEL & ROSENFELD, LLP

By: _____
Ira Brad Matetsky (IM1881)
360 Lexington Avenue
New York, New York 10017
(212) 922-9250
(212) 922-9335 (facsimile)
imatetsky@ganshore.com
Attorneys for Plaintiffs

By: _____
Shira Rosenfeld
One Penn Plaza, Suite 2527
New York, New York 10119
(212) 792-0999
syr@mr-law.net
*Attorneys for Intervenor Plaintiff
Harbinger International Holdings S.A.*

MILBANK, TWEED, HADLEY & MCCLOY
LLP

COHEN TAUBER SPIEVACK & WAGNER
P.C.

By: _____
Sander Bak (SB-2263)
Deborah Elman (DE 2310)
1 Chase Manhattan Plaza
New York, New York 10005
(212) 530-5000
Sbak@milbank.com
*Attorneys for Defendants ImageSat
International, N.V., Keret, Nissan, Weiss,
Eckhaus, Piperno-Beer, Arzi, and
Chelouche*

By: Sari C. Kolatch
Stephen Wagner (SW 2500)
Sari Kolatch (SK 3026)
420 Lexington Avenue, Suite 2400
New York, New York 10170
(212) 586-5800
swagner@ctswlaw.com
*Attorneys for Defendants Israel
Aerospace International, Ltd. & Eldar*

GREENBERG TRAURIG, LLP

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

By: _____
Simon Miller (SM 6278)
200 Park Avenue
New York, New York 10166
(212) 801-9200
millersj@gtlaw.com
*Attorneys for Defendants Elbit
Systems, Ltd., Ackerman, Federman,
Gaspar, and Estate of Toren*

By: _____
Eric S. Goldstein (ESG 1034)
Jonathan Hurwitz (JHH 8037)
1285 Avenue of the Americas
New York, New York 10019
(212) 373-3000
egoldstein@paulweiss.com
*Attorneys for Defendants Israel
Aerospace International, Ltd. & Eldar*

Dated: New York, N.Y.
August 20, 2008

GANFER & SHORE, LLP

By: _____
Ira Brad Matetsky (IM1881)
360 Lexington Avenue
New York, New York 10017
(212) 922-9250
(212) 922-9335 (facsimile)
imatetsky@ganshore.com
Attorneys for Plaintiffs

MANUEL & ROSENFELD, LLP

By: _____
Shira Rosenfeld
One Penn Plaza, Suite 2527
New York, New York 10119
(212) 792-0999
syr@mr-law.net
*Attorneys for Intervenor Plaintiff
Harbinger International Holdings S.A.*

MILBANK, TWEED, HADLEY & MCCLOY
LLP

By: _____
Sander Bak (SB-2263)
Atara Miller (AM 1798)
1 Chase Manhattan Plaza
New York, New York 10005
(212) 530-5000
Sbak@milbank.com
*Attorneys for Defendants ImageSat
International, N.V., Keret, Nissan, Weiss,
Eckhaus, Piperno-Beer, Arzi, and
Chelouche*

COHEN TAUBER SPIEVACK & WAGNER,
P.C.

By: _____
Stephen Wagner (SW 2500)
Sari E. Kolatch (SK 3026)
420 Lexington Avenue, Suite 2400
New York, New York 10170
(212) 586-5800
swagner@ctswlaw.com
*Attorneys for Defendants Israel
Aerospace International, Ltd. & Eldar*

GREENBERG TRAURIG, LLP

By: Simon Miller /cc
Simon Miller (SM 6278)
200 Park Avenue
New York, New York 10166
(212) 801-9200
millersj@gtlaw.com
*Attorneys for Defendants Elbit
Systems, Ltd., Ackerman, Federman,
Gaspar, and Estate of Toren*

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

By: _____
Eric S. Goldstein (ESG 1034)
Jonathan Hurwitz (JHH 8037)
1285 Avenue of the Americas
New York, New York 10019
(212) 373-3000
egoldstein@paulweiss.com
*Attorneys for Defendants Israel
Aerospace International, Ltd. & Eldar*

Dated: New York, N.Y.
August 20, 2008

GANFER & SHORE, LLP

MANUEL & ROSENFELD, LLP

By: _____
Ira Brad Matetsky (IM1881)
360 Lexington Avenue
New York, New York 10017
(212) 922-9250
(212) 922-9335 (facsimile)
imatetsky@ganshore.com
Attorneys for Plaintiffs

By: _____
Shira Rosenfeld
One Penn Plaza, Suite 2527
New York, New York 10119
(212) 792-0999
syr@mr-law.net
*Attorneys for Intervenor Plaintiff
Harbinger International Holdings S.A.*

MILBANK, TWEED, HADLEY & MCCLOY
LLP

COHEN TAUBER SPIEVACK & WAGNER,
P.C.

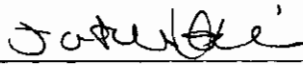
By: _____
Sander Bak (SB-2263)
Atara Miller (AM 1798)
1 Chase Manhattan Plaza
New York, New York 10005
(212) 530-5000
Sbak@milbank.com
*Attorneys for Defendants ImageSat
International, N.V., Keret, Nissan, Weiss,
Eckhaus, Piperno-Beer, Arzi, and
Chelouche*

By: _____
Stephen Wagner (SW 2500)
Sari E. Kolatch (SK 3026)
420 Lexington Avenue, Suite 2400
New York, New York 10170
(212) 586-5800
swagner@ctswlaw.com
*Attorneys for Defendants Israel
Aerospace International, Ltd. & Eldar*

GREENBERG TRAURIG, LLP

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

By: _____
Simon Miller (SM 6278)
200 Park Avenue
New York, New York 10166
(212) 801-9200
millersj@gtlaw.com
*Attorneys for Defendants Elbit
Systems, Ltd., Ackerman, Federman,
Gaspar, and Estate of Toren*

By:  _____
Eric S. Goldstein (ESG 1034)
Jonathan Hurwitz (JHH 8037)
1285 Avenue of the Americas
New York, New York 10019
(212) 373-3000
egoldstein@paulweiss.com
*Attorneys for Defendants Israel
Aerospace International, Ltd. & Eldar*

SO ORDERED:

Honorable Denise L. Cote
United States District Judge

NY2:#4801271